REMARKS

In response to the Office Action dated June 15, 2006 Applicants respectfully request continued examination. Additionally, the Applicants thank the Examiner for his comments during the interview of September 19, 2006, and have endeavored to incorporate the substance of the interview into this response.

Claim Rejections - 35 USC § 103

Claims 1-2, 6, 8-9, 14, 16-19, 21, 23, 28-34, 36-39, 41, 43-48 and 50-51 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,909,023 (Ono) in view of U.S. Patent 6,941,273 (Loghmani), and further in view of U.S. Patent No. 5,946,665 (Suzuki). Claims 18 and 19 have been canceled without prejudice, rendering the rejection moot. Applicants respectfully assert that the remaining claims are patentable over Ono, Loghmani and Suzuki.

Regarding independent claim 1, Ono, Loghmani and Suzuki alone or in combination do not teach, disclose, or suggest a method for providing a user an interface to a voice application including selecting an application for the user as a function of the time of day the user access the voice application. Ono discusses a process for presenting only those products or goods having a relatively high purchase frequency over a number of days (Col. 5, lines 30-32), and does not teach, disclose or suggest presenting products based on the time of day. Loghmani discusses a voice-optimized database and a method of using audio vector valuation to search a voice-optimized database and to enhance existing, non-voice-enabled databases to perform searches from spoken queries (Col. 1, lines 13-16). The methods discussed in Loghmani do not interpret speech based on a time period. Suzuki discusses an online shopping system to provide shopping information for a customer (Abstract). The system is capable of storing information (e.g., a time and date) collected when a user enters an online store (Col. 8, lines 25-61 cited by the Examiner). The store owners may then use the information to determine a demand for goods for each customer (Id.). Suzuki does not teach, disclose or suggest providing goods based on the time of day a customer accesses an online store. In contrast to Ono, Loghmani, and Suzuki, claim 1 recites a method for providing a user an interface to a voice application including selecting an application service automatically from a plurality of services for a user, without the user

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requesting the application service, as a function of the time of day a voice communication is received. For at least these reasons, independent claim 1 and claims 2, and 5-14 that depend directly or indirectly from claim 1, are patentable over Ono in view of Loghmani, in further view of Suzuki.

Regarding independent claim 16, Ono, Loghmani, and Suzuki alone or in combination do not teach, disclose, or suggest means for automatically selecting an application service for a user, without the user requesting the application service, as a function of the time of day a voice communication is received. Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest presenting products based on the time of day. Loghmani discusses a voice-optimized database and a method of using audio vector valuation to search a voice-optimized database and to enhance existing, non-voice-enabled databases to perform searches from spoken queries (col. 1 ln 13-16), and not presenting data based on a time of day. Suzuki utilizes time and date data only to determine strategies and/or sales information (Col. 8 lines 58-61). In contrast to Ono, Loghmani and Suzuki, claim 16 recites an apparatus for providing a user an interface to a voice application including a server having a processor and associated memory, wherein the server includes means for receiving a voice communication from the user, means for receiving a time of day, means for automatically selecting an application service for the user, without the user requesting the application service, as a function of the time of day the voice communication is received and information representative of the user's past access to the application, wherein the information includes the time of day and a date. For at least these reasons, independent claim 16, and claims 17, 21, 23, and 28, that each depend directly or indirectly from claim 16, are patentable over Ono in view of Loghmani, in further view of Suzuki.

Regarding independent claim 29, neither Ono nor Loghman nor Suzuki alone or in combination teach, disclose, or suggest a method for providing a user an interactive voice application including selecting automatically for the user an application service based upon a pattern of usage and the time of day a voice communication is received from the user. Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. Loghmani does not discuss presenting data based on the time of day. Suzuki does not discuss providing goods based on the time of day a customer access an online store. In contrast, claim 29 recites a

method for providing a user an interface to a voice application including receiving a voice communication from the user, obtaining and storing information about one or more application services invoked by the user, wherein the information includes a time of day and a date the user invoked the application service, analyzing the information about the one or more application services invoked by the user to determine a pattern of usage of available application services, selecting automatically for the user an application service based upon the pattern of usage and the time of day the voice communication is received from the user, and providing the automatically selected application service to the user. For at least these reasons, applicants respectfully assert that independent claim 29, and claims 30-34 that depend directly or indirectly from claim 29, are patentable over Ono, Loghmani and Suzuki.

Regarding independent claim 36, Ono, Loghmani, and Suzuki do not teach, disclose, or suggest an apparatus with instruction for causing a processor to select for a user an application service from the plurality of application services based upon a pattern of usage and a time of day a voice communication is received. Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. Loghmani does not interpret speech based on a time period. Suzuki utilizes time and date data only to determine strategies and/or sales information (Col. 8 lines 58-61). In contrast, claim 36 recites an apparatus for using historical data of a user in a voice application including a server having a processor and memory, wherein the server includes instructions for causing the processor to receive a voice communication from the user, receive a location information corresponding to the geographical location of the user when the voice communication is received, obtain and store information about the one or more application services invoked by the user, wherein the information includes a time of day, a date and the location information received when the user invoked the application services, analyze the information about the one or more application services invoked by the user to determine a pattern of usage of the one or more of the application services, select for the user an application service from the plurality of application services based upon the pattern of usage and the time of day the voice communication is received, wherein a particular application is selected if a frequency with which the user invoked the particular application service is greater than a first predetermined threshold and a determined accuracy of a speech recognition of the user is within a predetermined accuracy range, and provide the selected application service to the user. For at

least these reasons, applicants respectfully assert that claim 36, and claims 37-39, and 41-42, that depend directly or indirectly from claim 36, are patentable over Ono, Loghmani, and Suzuki.

Regarding independent claim 43, Ono and Loghmani do not teach, disclose, or suggest an article of manufacture configured to cause the computer system to automatically select for a user a particular application service of a plurality of application services based upon a pattern of usage and a time of day a voice communication is received. Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. Loghmani does not interpret speech based on a time period. Suzuki utilizes time and date data only to determine strategies and/or sales information (Col. 8 lines 58-61). In contrast, claim 43 recites an article of manufacture including a computer readable medium having computer readable program code for providing a user an interface to a voice application, the computer readable program code including instructions for causing the computer system to automatically select for the user a particular application service of a plurality of application services based upon a pattern of usage and a time of day the voice communication is received. For at least these reasons, applicants respectfully assert that claim 43, and claims 44-48 that depend directly from claim 43, are patentable over Ono, Loghmani and Suzuki.

Regarding independent claim 50, neither Ono nor Loghmani nor Suzuki teach, disclose or suggest a method for providing a user interface for a voice application including selecting an application service automatically for the user, without the user requesting the application service, as a function of a time of day the voice communication is received from the user. Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. Loghmani does not interpret speech based on a time period. Suzuki utilizes time and date data only to determine strategies and/or sales information (Col. 8 lines 58-61). In contrast, claim 50 recites a method for providing a user an interface to a voice application including providing a user with a voice activated interface to access the application and to invoke any of a plurality of application services, receiving a voice communication from the user, selecting an application service automatically for the user, without the user requesting said application service, as a function of a time of day the voice communication is received from the user and information representative of other users' past access to the application, wherein the information includes the time of day and a

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date the other users previously accessed the application, and providing the selected application service to the user. For at least these reasons, applicants respectfully assert that independent claim 50, and claim 51 which depends directly from claim 50, are patentable over Ono, Loghmani, and Suzuki.

Claims 50-54 stand rejected under 35 U.S.C. 103(a) as being anticipated by US Patent No. 6,266,649 (Linden) in view of Loghmani. Claims 52 and 53 were previously canceled without prejudice rendering the rejection moot. Applicants respectfully assert that claims 50, 51 and 54 are patentable over Linden in view of Loghmani.

Regarding independent claim 50, neither Linden or Loghmani teach, disclose, or suggest providing a method for providing a user interface for a voice application including selecting an application service automatically for the user, without the user requesting the application service, as a function of a time of day the voice communication is received from the user. Linden discusses a recommendations service to recommend items to individual users based on a set of items that are known to be of interest to the user, such as a set of items previously purchased by the user (Abstract). The service generates the recommendations using a previously-generated table which maps items to lists of "similar" items. (Id). Linden does not teach, disclose or suggest making a recommendation to a user based on the time of day a request is received. Loghmani does not interpret speech based on a time period. In contrast, claim 50 recites a method for providing a user an interface to a voice application including providing a user with a voice activated interface to access the application and to invoke any of a plurality of application services, receiving a voice communication from the user, selecting an application service automatically for the user, without the user requesting said application service, as a function of a time of day the voice communication is received from the user and information representative of other users' past access to the application, wherein the information includes the time of day and a date the other users previously accessed the application, and providing the selected application service to the user. For at least these reasons, applicants respectfully assert that claim 50, and claims 51 and 54 that each depend from claim 50, are patentable over Linden in view of Loghmani.

Claims 5 and 20 stand rejected under 35 USC §103(a) as obvious over Ono in view in view of Loghmani, in further view of Suzuki, and in further view of US Patent No. 6,298,330 (Gardenswartz). Applicants respectfully assert that these claims are patentable over Ono,

Loghmani, Suzuki and Gardenswartz. The Examiner does not assert that Gardenswartz makes up for the deficiencies of Ono and Loghmani and Suzuki noted above with respect to claims 1 and 16. Thus, claims 5 and 20, that depend from claims 1 and 16 respectively, are patentable over Ono in view of Loghmani, in further view of Suzuki, and in further view of Gardenswartz, for at least the reasons discussed above with respect to claims 1 and 16.

Claims 7 and 22 stand rejected under 35 USC §103(a) as obvious over Ono in view Loghmani, in further view of Suzuki, and in further view of US Patent No. 6,298,329 (Walker). Applicants respectfully assert that these claims are patentable over Ono, Loghmani, Suzuki and Walker. Walker discusses a method for generating point of sale coupons (Abstract). The coupons may have a validity based on a time of day (FIG. 10). Walker does not teach, disclose or suggest establishing a validity time as a function of the users past activities. In contrast, claims 1 and 16 recite selecting, and means for selecting, an application as a function representative of a users past access to the application, including a time of day and a date. Thus, Walker does not make up for the deficiencies of Ono, Loghmani and Suzuki noted above with respect to claims 1 and 16. Thus, claims 7 and 22, that depend indirectly from claims 1 and 16 respectively, are patentable over Ono in view Loghmani, in further view of Suzuki, and in further view of Walker for at least the reasons discussed above with respect to claims 1 and 16, respectively.

Claims 10-12 and 24-26 stand rejected under 35 USC §103(a) as obvious over Ono in view Loghmani, in further view of Suzuki, and in further view of US Patent No. 5,646,986 (Sahni). Applicants respectfully assert that these claims are patentable over Ono, Loghmani, Suzuki and Sahni. First, applicants respectfully assert that Sahni is not in the same field of endeavor as Ono. Ono discusses an online shopping support method and system capable of supplying proper services matching user specific needs and conditions. Sahni discusses trunk allocation in a communication system based on a history of network use. Applicants respectfully assert that allocating trunks is not in the same field of endeavor as online shopping. Therefore, there is no motivation to combine Sahni and Ono and Loghmani and Suzuki. Second, even if Ono, Loghmani, Suzuki and Sahni were combined as suggested in the Office Action, the Examiner does not assert that Sahni makes up for the deficiencies of Ono, Loghmani, and Suzuki noted above with respect to claims 1 and 16. Thus, claims 10-12 and claims 24-26 that directly and indirectly depend from claims 1 and 16 respectively, are patentable over Ono in view

Loghmani, in further view of Suzuki, and in further view of Sahni for at least the reasons discussed above with respect to claims 1 and 16.

Claim 13 stands rejected under 35 USC §103(a) as obvious over Ono in view Loghmani, in further view of Suzuki, and in further view of US Patent No. 6,584,447 (Fox). Applicants respectfully assert that this claim is patentable over Ono, Loghmani, Suzuki and Fox. First, applicants respectfully assert that Fox is not in the same field of endeavor as Ono. Ono discusses an online shopping support method and system capable of supplying proper services matching user specific needs and conditions. Fox discusses a method to analyze a sales forecast using weather and sales history. Applicants respectfully assert that a method to analyze a sales forecast using weather and sales history is not in the same field of endeavor as online shopping. Therefore, there is no motivation to combine Fox and Ono and Loghmani. Second, even if Ono and Fox were combined as suggested in the Office Action, the Examiner does not assert that Fox makes up for the deficiencies of Ono, Loghmani, and Suzuki noted above with respect to claim 1. Thus, claim 13, that indirectly depends from claim 1, is patentable over Ono in view Loghmani, in further view of Suzuki, and in further view of Fox for at least the reasons discussed above with respect to claim 1.
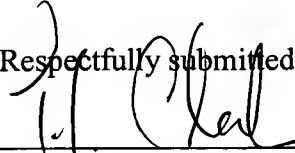
Claim 27 stands rejected under 35 USC §103(a) as obvious over Ono, in view Loghmani, in further view of Suzuki, in view of Sahni, as applied to claim 24, and further in view of Fox. Applicants respectfully assert that this claim is patentable over Ono, Loghmani, Suzuki, Sahni and Fox because, as discussed above, neither Sahni nor Fox is in the same field of endeavor as Ono, and neither make up for the deficiencies of Ono, Loghmani, and Suzuki with respect to claim 16.

Claims 35, 42, and 49 stand rejected under 35 USC §103(a) as obvious over Ono in view of Loghmani, in further view of Suzuki, and further in view of US Patent No. 6,330,543 (Kepecs). Applicants respectfully assert that this claim is patentable over Ono, Loghmani, Suzuki and Kepecs because even if Ono, Loghmani and Kepecs were combined as suggested in the Office Action, the Examiner does not assert that Kepecs makes up for the deficiencies of Ono and Loghmani and Suzuki noted above with respect to claims 29, 36 and 43. Thus, claims 35, 42 and 49, that depend on claims 29, 36 and 43 respectively, are patentable over Ono in view Loghmani, in further view of Suzuki, and in further view of Kepecs for at least the reasons discussed above with respect to claims 29, 36 and 43.

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Based on the foregoing, this application is believed to be in an allowable condition, and a notice to that effect is respectfully requested. The Examiner is invited to call the Applicants' Attorney at the number provided below with any questions.

Respectfully submitted,

T.J. Clark (Reg. No. 54,039)
Attorney for Applicants
Mintz, Levin, Cohn, Ferris,
 Glovsky and Popeo, P.C.
Telephone 617/348-1765
Customer Number 30623

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